Note from the Codifier: The notices published in this Section of the NC Register include the text of proposed rules. The agency must accept comments on the proposed rule(s) for at least 60 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. If the agency adopts a rule that differs substantially from a prior published notice, the agency must publish the text of the proposed different rule and accept comment on the proposed different rule for 60 days.

Statutory reference: G.S. 150B-21.2,

TITLE 12 - DEPARTMENT OF JUSTICE

Notice is hereby given in accordance with G.S. 150B-21.2 that the Private Protective Services Board intends to adopt the rules cited as 12 NCAC 07D .0115 and amend the rules cited as 12 NCAC 07D .0104, .0203, .0301-.0302, .0401, .0501, .0601, .0807, .0901, .0909.

Agency obtained G.S. 150B-19.1 certification:

OSBM certified on:

RRC certified on: January 17, 2013

Not Required

Link to agency website pursuant to G.S. 150B-19.1(c); www.ncdoj.gov

Proposed Effective Date: July 1, 2013

Public Hearing: Date: March 25, 2013 Time: 2:00 p.m.

Location: 4901 Glenwood Avenue, Suite 200, Raleigh, NC

27612

Reason for Proposed Action:

12 NCAC 07D .0104 – To amend the definitions section to conform to other rule changes.

12 NCAC 07D .0115 – To require licensees, registrants and trainers to report administrative proceedings from other states.

12 NCAC 07D .0203 — To conform this rule to other rule amendments previously adopted to meet a statutory change regarding length of residency for a local criminal history records check.

12 NCAC 07D .0301-.0302, .0401, .0501, .0601, 0901, .0909 – To create a procedure to comply with recently enacted G.S. 93B-15.1 regarding military experience and active duty military spouses.

12 NCAC 07D .0807 – To allow an armed security guard to be employed by more than one company and provide a procedure for firearms qualification for this "dual" employment.

Procedure by which a person can object to the agency on a proposed rule: Objections to the proposed rules changes shall be submitted by the end of the comment period in writing to Anthony Bonapart, Deputy Director, Private Protective Services Board, 4901 Glenwood Avenue, Suite 200, Raleigh, NC 27612.

Comments may be submitted to: Anthony Bonapart, PPSB Deputy Director, 4901 Glenwood Avenue, Suite 200, Raleigh, NC 27612

Comment period ends: April 30, 2013

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact (check all that apply).

State funds affected
Environmental permitting of DOT affected
Analysis submitted to Board of Transportation
Local funds affected
Date submitted to OSBM:
Substantial economic impact (≥\$500,000)
Approved by OSBM
No fiscal note required by G.S. 150B-21.4

CHAPTER 07 – PRIVATE PROTECTIVE SERVICES BOARD

SUBCHAPTER 07D - PRIVATE PROTECTIVE SERVICES BOARD

SECTION .0100 - ORGANIZATION AND GENERAL PROVISIONS

12 NCAC 07D .0104 DEFINITIONS

In addition to the definitions under G.S. 74C, the following definitions shall apply throughout this Subchapter:

- "Applicant" means any person, firm or corporation applying to the Board for a license, trainee permit, registration or firearms trainer certificate.
- (2) "Armed Private Security Officer" means an individual employed, full time or part time, by a contract security company or a proprietary security organization:

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- (a) who at any time wears, carries, or possesses a firearm in the performance of his duties; and
- (b) whose principal duty is that of:
 - (i) an armed security guard, officer, patrol, or watchman;
 - (ii) an armed armored car service guard;
 - (iii) a private detective; or
 - (iv) an armed courier service guard.
- (3) "Board" means the Private Protective Services Board established by G.S. 74C.
- (4) "Branch Manager or Operator" means the individual endowed with the responsibility and liability for a branch office.
- (5) "Branch Office" means a separate but dependent part of a central organization engaged in the business of providing private protective services established for the purpose of extending the activities of the central The establishment of a organization. telephone number or mailing address in the company name constitutes prima facie evidence of a branch office. If an out of state person, firm, association, or corporation opens an office in North Carolina, the North Carolina office shall be deemed the principal place of business and shall have a resident licensed qualifying agent.
- (6) "Chairman" means the Chairman of the Private Protective Services Board.
- (7) "Contract Security Company" means any person, firm, association, or corporation engaging in a private protective services business as defined in G.S. 74C-3 which provides said services on a contractual basis for a fee or other valuable consideration to any other person, firm, association, or corporation.
- (8) "Direct Supervision" means personal, face to face contact and direction of the trainee's activities on a frequent and reasonable basis.
- (9) "Investigative Capacity" means any law enforcement agency position for which the duties include conducting investigations and interviews, completing reports, and testifying in courts, administrative hearings or military tribunals.
- (10) "Law Enforcement Officer" means a sworn peace officer who has the power of arrest, and who is an employee of the United States, any state, or any political subdivision of a state.
- (11) "Licensee" means any person licensed to perform private protective services in North Carolina in accordance with G.S. 74C.
- (12) "Proprietary Security Organization" means any person, firm, association, corporation or department thereof:
 - (a) which employs any of the following:

- (i) watchmen,
- (ii) security guards or officers,
- (iii) patrol personnel,
- (iv) armored car personnel, or
- (v) couriers; and
- (b) which employs these persons regularly and exclusively as an employee in connection with the business affairs of such employer.
- (13) "Qualifying Agent" means the individual licensee who is responsible for the private protective services business.
- (14) "Restored" means that an individual is no longer in need of psychiatric care as determined by a physician.
- (15) "Temporary unarmed security guard" means one who is hired for a period of 30 days or less within a calendar year and who is designated as a temporary security guard at the start of employment.
- (16) "Agency Head" means the Chairman of the Board.

Authority G.S. 74C-3; 74C-5.

12 NCAC 07D .0115 INVOLVEMENT IN ADMINISTRATIVE HEARING

All licensees registrants and trainers shall report to the Board any administrative proceedings which are commenced against them which involve any potential revocation or suspension of, or other disciplinary action against, any private protective service license, permit, certification or registration that they hold in another state. The Board must receive written notice of any such administrative proceeding within 30 days of the date the licensee, registrant or trainer is notified of the administrative proceeding.

Authority G.S. 74C-5; 74C-12.

SECTION .0200 - LICENSES: TRAINEE PERMITS

12 NCAC 07D .0203 RENEWAL OR RE-ISSUE OF LICENSES AND TRAINEE PERMITS

- (a) Each applicant for a license or trainee permit renewal shall submit an original and one copy of a renewal form. This form shall be submitted to the administrator not less than 30 days prior to expiration of the applicant's current license or trainee permit and shall be accompanied by:
 - (1) a head and shoulders digital color photograph of the applicant in JPG format of a quality sufficient for identification, taken within six months of the application and submitted by email to PPSASL-Photos@ncdoj.gov or by compact disc;
 - (2) statements of the result of a local criminal history records search by the city-county identification bureau or clerk of superior court in each county where the applicant has resided within the immediately preceding 24 months

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- or a criminal record check from a third party criminal record check provider;
- (3) the applicant's renewal fee; and
- (4) proof of liability insurance as set out in G.S. 74C-10(e).
- (b) If a licensee has maintained a license at least two years and then allows the license to expire, the license may be re-issued if application is made within three years of the expiration date and the following documentation is submitted to the Board:
 - (1) an Application For Reinstatement of an Expired License;
 - (2) one set of classifiable fingerprints on an applicant fingerprint card;
 - (3) one head and shoulders digital color photograph of the applicant in JPG format of a quality sufficient for identification, taken within six months of the application and submitted by e-mail to PPSASL-Photos@ncdoj.gov or by compact disc:
 - (4) statements of the result of a local criminal history records search by the city-county identification bureau or clerk of superior court in each county where the applicant has resided within the <u>immediately</u> preceding 60 months or a criminal record check from a third party criminal record check provider;
 - (5) the applicant's non-refundable application fee;
 - (6) proof of liability insurance as set out in G.S. 74C-10(e); and
 - (7) a separate check or money order made payable to the State Bureau of Investigations to cover criminal record checks performed by the State Bureau of Investigations.
- (c) Members of the armed forces whose license is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return are granted that same extension of time to pay the license renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be furnished to the Board.

Authority G.S. 74C-5; 74C-8; 74C-9.

SECTION .0300 - SECURITY GUARD AND PATROL: GUARD DOG SERVICE

12 NCAC 07D .0301 EXPERIENCE REQUIREMENTS/SECURITY GUARD AND PATROL LICENSE

- (a) In addition to the requirements of 12 NCAC 07D .0200, applicants for a security guard and patrol license shall:
 - establish to the Board's satisfaction three years experience as a manager, supervisor, or administrator with a contract security company or a proprietary security organization performing guard and patrol functions;
 - (2) establish to the Board's satisfaction three years experience as a manager, supervisor, or

administrator in security with any federal, state, county, or municipal law enforcement agency performing guard and patrol functions:

(3) establish to the Board's satisfaction a military occupational specialty and two year's experience within the past five years in the U.S. Armed Forces as a manager, supervisor, or administrator performing guard and patrol functions.

(b) For the spouse of an active duty member of the U.S. Armed Forces, establish to the Board's satisfaction:

- the spouse holds a current license, certification or registration from another jurisdiction and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's requirements, or
- (2) two years verifiable experience within the past five years in the U.S. Armed Forces as a manager, supervisor, or administrator performing guard and patrol functions.

(c) Board shall give credit toward the experience requirements set forth in (a)(1) and (2) of this Rule as follows:

- (1) An applicant shall receive a minimum of 400 hours of experience credit for an associate's degree. The Administrator or the Board shall grant up to 100 additional hours if the applicant can demonstrate that further training or course-work related to the private protective services industry was received while obtaining the associate's degree.
 - (2) An applicant shall receive 800 hours of experience credit for a bachelor's degree. The Administrator or the Board shall grant up to 200 additional hours if the applicant can demonstrate that further training or course-work related to the private protective services industry was received while obtaining the bachelor's degree.
 - (3) An applicant shall receive 1,200 hours of experience credit for a graduate degree. The Administrator or the Board shall grant an additional 300 additional hours if the applicant can demonstrate that further training or course-work related to the private protective services industry was received while obtaining the graduate degree.

(d), Persons licensed under Chapter 74D of the General Statutes of North Carolina may be issued a limited guard and patrol license exclusively for providing armed alarm responders.

Authority G.S. 74C-5; 74C-8; 74C-13; 93B-15.1.

12 NCAC 07D .0302 EXPERIENCE REQUIREMENTS FOR GUARD DOG SERVICE LICENSE

(a) In addition to the requirements of 12 NCAC 07D .0200, applicants for a guard dog service license shall:

establish to the Board's satisfaction two years experience as a manager, supervisor,

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security company or proprietary security organization performing guard dog functions; (2) establish to the Board's satisfaction two years experience as a manager, supervisor, administrator, or dog handler with any federal, state, county, or municipal agency performing

administrator, or dog handler with a contract

guard dog functions; or

establish to the Board's satisfaction a military occupational specialty and two years experience within the past five years in the U.S. Armed Forces as a manager, supervisor, or administrator or dog handler performing guard dog functions.

(b) For a spouse of an active duty member of the U.S. Armed Forces, establish to the Board's satisfaction:

the spouse holds a current license, certification or registration from another jurisdiction and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's requirements, or

(2) two years verifiable experience within the past five years as a manager, supervisor, or to administrator or dog handler performing guard dog functions.

Authority G.S. 74C-5; 74C-8; 93B-15,1.

SECTION .0400 - PRIVATE INVESTIGATOR: ELECTRONIC COUNTERMEASURES

12 NCAC 07D .0401 EXPERIENCE REQUIREMENTS FOR A PRIVATE INVESTIGATOR LICENSE

(a) In addition to the requirements of G.S. 74C-8 and 12 NCAC 07D .0200, applicants for a private investigator license shall:

- establish to the Board's satisfaction three years of experience while conducting investigations as defined in G.S. 74C-3(a)(8) with a contract security company or with a private person, firm, association or corporation;
- establish to the Board's satisfaction three years (2)of verifiable experience while conducting investigations as defined in G.S. 74C-3(a)(8) while serving in an investigative capacity as defined in 12 NCAC 07D .0104(9) with any Federal, state, county, municipal law enforcement agency or other governmental agency; or
- (3) establish to the Board's satisfaction a military occupational specialty and two years verifiable experience within the past five years in the U.S. Armed Forces while conducting investigations as defined in G.S. 74C-3(a)(8) while serving in an investigative capacity as defined in 12 NCAC 07D .0104(9).

(b) For the spouse of an active duty member of the U.S. Armed Forces, establish to the Board's satisfaction:

> (I)the spouse holds a current license, certification or registration from another jurisdiction and

the other jurisdiction's requirements are substantially equivalent to or exceed the Board's requirements, or

(2) two years verifiable experience within the past five years in the U.S. Armed Forces while conducting investigations as defined in G.S. 74C-3(a)(8) while serving in an investigative capacity as defined in 12 NCAC 07D .0104(9).

(c), The Board shall give credit toward the experience requirements set forth in Paragraph (a) of this Rule as follows:

- An applicant shall receive of 400 hours of experience credit for an associate's degree. The Administrator or the Board shall grant up to 100 additional hours if the applicant can demonstrate that further training or course-work related to the private protective services industry was received while obtaining the associate's degree.
- (2) An applicant shall receive 800 hours of experience credit for a bachelor's degree. The Administrator or the Board shall grant up to 200 additional hours if the applicant can demonstrate that further training course-work related to the private protective services industry was received while obtaining the bachelor's degree.
- (3) An applicant shall receive 1,200 hours of experience credit for a graduate degree. The Administrator or the Board shall grant an additional 300 additional hours if the applicant can demonstrate that further training or course-work related to the private protective services industry was received while obtaining the graduate degree.

Authority G.S. 74C-5(2); 93D-15.1.

SECTION .0500 - POLYGRAPH

12 NCAC 07D .0501 EXPERIENCE REQUIREMENTS FOR A POLYGRAPH LICENSE

(a) In addition to the requirements of 12 NCAC 07D .0200, applicants for a polygraph license shall:

pass an examination and a performance test administered by a panel of polygraph examiners designated by the Board;

(2) successfully complete a course of instruction at any polygraph school approved by the American Polygraph Association; and

(3) have one year of polygraph experience or successfully complete at least six months of training as a holder of a polygraph trainee permit, and administer no less than 50 polygraph examinations; or

establish to the Board's satisfaction a military occupational specialty and two years verifiable experience within the past five years in the U.S. Armed Forces as a manager, supervisor.

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- or administrator performing polygraph examinations.
- (b) For the spouse of an active duty member of the U.S. Armed Forces, establish to the Board's satisfaction:
 - the spouse holds a current license, certification or registration from another jurisdiction and the other jurisdictions requirements are substantially equivalent to or exceed the Board's requirements, or
 - (2) two years verifiable experience within the past five years as a manager, supervisor, or administrator performing polygraph examinations.
- (a) Applicants for a polygraph license may take the examination required in Paragraph (a) of this Rule no more than twice in any calendar year and any applicant who fails the polygraph examination four times shall retake the polygraph school required in Paragraph (a) of this Rule before taking the polygraph examination again.
- (d) Polygraph operators who are duly licensed in another state may run up to three examinations in this state without being licensed, provided that those examinations are for the purpose of an evaluation of that examiner and provided that the administrator has given authorization for this evaluation in advance

Authority G.S. 74C-5; 93B-15.1.

SECTION .0600 - PSYCHOLOGICAL STRESS EVALUATOR (P.S.E.)

12 NCAC 07D .0601 EXPERIENCE REQUIREMENTS FOR A PSYCHOLOGICAL STRESS EVALUATOR LICENSE

- (a) In addition to the requirements of 12 NCAC 07D .0200, applicants for a Psychological Stress Evaluator license shall:
 - (1) successfully complete a course of instruction at any P.S.E. school approved by the <u>Board</u>; or
 - (2) establish to the Board's satisfaction a military occupational specialty and two years verifiable experience within the past five years in the U.S. Armed Forces as a manager, supervisor, or administrator conducting psychological stress evaluations.
- (b) For the spouse of an active duty member of the U.S. Armed Forces, establish to the Board's satisfaction:
 - (1) the spouse holds a current license, certification or registration from another jurisdiction and the other jurisdictions requirements are substantially equivalent to or exceed the Board's requirements, or
 - (2) two years verifiable experience within the past five years as a manager, supervisor, or administrator conducting psychological stress evaluations.
- (c), A P.S.E. school must consist of not less than 40 hours of actual classroom instruction in psychological stress evaluation.

Authority G.S. 74C-5; 93B-15.1.

12 NCAC 07D .0807 TRAINING REQUIREMENTS FOR ARMED SECURITY GUARDS

- (a) Applicants for an armed security guard firearm registration permit shall first complete the basic unarmed security guard training course set forth in 12 NCAC 07D .0707. Private Investigator Licensees applying for an armed security guard firearm registration permit shall first complete a four hour training course consisting of blocks of instruction "The Security Officer in North Carolina" and "Legal Issues for Security Officers" as set forth in 12 NCAC 07D .0707(a). Private Investigator Licensees applying for an armed security guard firearm registration permit are not required to complete the following training blocks found in the basic training course referenced in 12 NCAC 07D. 0707(a): "Emergency Response," "Communications," "Patrol Procedures," "Note Taking and Report Writing," and "Deportment." A Private Investigator Licensee applying for an armed security guard firearm registration permit shall meet all additional training requirements set forth in 12 NCAC 07D .0707 as well as the training requirements set forth in this Rule.
- (b) Applicants for an armed security guard firearm registration permit shall complete a basic training course for armed security guards which consists of at least 20 hours of classroom instruction including:
 - legal limitations on the use of handguns and on the powers and authority of an armed security guard, including familiarity with rules and regulations relating to armed security guards (minimum of four hours);
 - handgun safety, including range firing procedures (minimum of one hour);
 - (3) handgun operation and maintenance (minimum of three hours);
 - (4) handgun fundamentals (minimum of eight hours); and
 - (5) night firing (minimum of four hours).
- (c) Applicants for an armed security guard firearm registration permit shall attain a score of at least 80 percent accuracy on a firearms range qualification course adopted by the Board and the Attorney General, a copy of which is on file in the Director's office. Should a student fail to attain a score of 80 percent accuracy as referenced above, the student will be given an additional three attempts to qualify on the course of fire they did not pass. Failure to meet the qualification after three attempts shall require the student to repeat the entire Basic Training Course for Armed Security Guards. All additional attempts must take place within 20 days of the completion of the initial 20 hour course.
- (d) All armed security guard training required by 12 NCAC 07D shall be administered by a certified trainer and shall be successfully completed no more than 90 days prior to the date of issuance of the armed security guard firearm registration permit.
- (e) All applicants for an armed security guard firearm registration permit must obtain training under the provisions of this Section using their duty weapon and their duty ammunition or ballistic equivalent ammunition, to include lead-free ammunition that meets the same point of aim, point of impact, and felt recoil of the duty ammunition, for all weapons.

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- (f) No more than six new or renewal armed security guard applicants per one instructor shall be placed on the firing line at any one time during firearms range training.
- (g) Applicants for re-certification of an armed security guard firearm registration permit shall complete a basic recertification training course for armed security guards which consists of at least four hours of classroom instruction and is a review of the requirements set forth in Paragraphs (b)(1) through (b)(5) of this Rule. The recertification course is valid for 180 days after completion of the course. Applicants for recertification of an armed security guard firearm registration permit shall also complete the requirements of Paragraph (c) of this Rule.

(h) An armed guard currently registered with one company may be registered with a second company. Such registration shall be considered "dual." The registration with the second company shall expire at the same time that the registration expires with the first company. An updated application shall be required, along with the digital photograph, updated criminal records checks and a forty dollar (\$40.00) registration fee. If the guard will be carrying a weapon of the same make and model, then no additional firearms training is required. The licensee shall submit a letter stating the guard will be carrying the same make a model weapon. If the guard will be carrying a weapon of a different make and model, the licensee shall submit a letter to the Board advising of the make and model of the weapon the guard will be carrying and the guard shall be required to qualify at the firing range on both the day and night qualification course. The qualification score is valid for 180 days after completion of the course.

(i) To be authorized to carry a standard 12 gauge shotgun in the performance of his duties as an armed security guard, an applicant shall complete, in addition to the requirements of Paragraphs (a), (b) and (c) of this Rule, four hours of classroom training which shall include the following:

- (1) legal limitations on the use of shotguns;
- shotgun safety, including range firing procedures;
- (3) shotgun operation and maintenance; and
- (4) shotgun fundamentals.

An applicant may take the additional shotgun training at a time after the initial training in this Rule. If the shotgun training is completed at a later time, the shotgun certification shall run concurrent with the armed registration permit.

- (i) In addition to the requirements set forth in Paragraph (h) of this Rule, applicants shall attain a score of at least 80 percent accuracy on a shotgun range qualification course adopted by the Board and the Attorney General, a copy of which is on file in the Director's office.
- (k) Applicants for shotgun recertification shall complete an additional one hour of classroom training as set forth in Paragraphs (h)(1) through (h)(4) of this Rule and shall also complete the requirements of Paragraph (i) of this Rule.
- (1) Applicants for an armed security guard firearm registration permit who possess a current firearms trainer certificate shall be given, upon their written request, a firearms registration permit that will run concurrent with the trainer certificate upon completion of an annual qualification with their duty weapons as set forth in Paragraph (c) of this Rule.

(m) The armed security officer is required to qualify annually both day and night. If the security officer fails to qualify on either course of fire, the security officer cannot carry a firearm until such time as they meet the qualification requirements. Upon failure to qualify the firearm instructor must notify the security officer that they are no longer authorized to carry a firearm and the firearm instructor must notify the employer and the Private Protective Services Board staff on the next business day.

Authority G.S. 74C-5; 74C-13.

SECTION .0900 - TRAINER CERTIFICATE

12 NCAC 07D .0901 REQUIREMENTS FOR A FIREARMS TRAINER CERTIFICATE

- (a) Firearms trainer applicants shall:
 - (1) meet the minimum standards established by 12 NCAC 07D .0703:
 - (2) have a minimum of one year supervisory experience in security with a contract security company or proprietary security organization, or one year experience with any federal, U.S. military, state, county or municipal law enforcement agency;
 - (3) attain a 90 percent score on a firearm's prequalification course approved by the Board and the Attorney General, with a copy of the firearm's course certificate to be kept on file in the administrator's office;
 - (4) successfully complete a training course approved by the Board and the Attorney General which shall consist of a minimum of 40 hours of classroom and practical range training in handgun and shotgun safety and maintenance, range operations, night firearm training, control and safety procedures, and methods of handgun and shotgun firing;
 - (5) pay the certified trainer application fee established in 12 NCAC 07D .0903(a)(1); and
 - (6) successfully complete the requirements of a Unarmed Trainer Certificate established by 12 NCAC 07D .0909.
- (b) The applicant's score on the prequalification course set forth in Subparagraph (a)(3) is valid for 180 days after completion of the course.

(c) In lieu of completing the training course set forth in Subparagraph (a)(4) of this Rule, an applicant may:

- (1) submit to the Board a current Criminal Justice
 Specialized Law Enforcement Firearms
 Instructor Certificate from the North Carolina
 Criminal Justice Education and Training
 Standards Commission. or
- (2) establish to the Board's satisfaction a military occupational specialty and two years verifiable experience within the past five years in the U.S. Armed Forces as a firearms instructor. All applicants subject to this subsection shall comply with the provisions of Subparagraph

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(a)(3), pay one-half the course fee amount, and complete the eight hour course given by the Board on rules and regulations.

(d) For the spouse of an active duty member of the U.S. Armed Forces, establish to the Board's satisfaction:

- (1) the spouse holds a current license, certification or registration from another jurisdiction and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's requirements, or
- (2) two years verifiable experience within the past five years in the U.S. Armed Forces as a firearms instructor.
- (e) A Firearms Trainer Certificate expires two years after the date of issuance.

Authority G.S. 74C-5; 74C-13; 93B-15.1.

12 NCAC 07D .0909 UNARMED GUARD TRAINER CERTIFICATE

- (a) To receive an unarmed guard trainer certificate, an applicant shall meet the following requirements:
 - (1) comply with the requirements of 12 NCAC 07D.0703;
 - (2) have a minimum of one year experience in security with contract security company or proprietary security organization, or one year experience with any federal, U.S. military, state, county or municipal law enforcement agency;
 - (3) successfully complete a training course approved by the Board and the Attorney General which shall consist of a minimum of 24 hours classroom instruction to include the following topic areas:
 - (A) civil liability for the security trainer two hours;
 - (B) interpersonal communications in instruction three hours;
 - (C) teaching adults four hours;
 - (D) principles of instruction one hour;

- (E) methods and strategies of instruction one hour:
- (F) principles of instruction: audio-visual aids three hours; and
- (G) student performance: 45 minute presentation.
- (4) favorable recommendation from the employing or contracting licensee; and
- (5) comply with the application process for an Unarmed Trainer Certificate as set forth in 12 NCAC 07D .0910.
- (b) In lieu of completing the training course set forth in Subparagraph (a)(3) of this Rule, an applicant may submit to the Board:
 - (1) a Criminal Justice General Instructor
 Certificate from the North Carolina Criminal
 Justice Education and Training Standards
 Commission
 - (2) establish to the Board's satisfaction a military occupational specialty and two years verifiable experience within the past five years in the U.S. Armed forces as an unarmed guard trainer, or
 - any training certification that meets or exceeds the requirements of Subparagraph (a)(3) of this Rule and is approved by the Director of PPS.
- (c) For the spouse of an active duty member of the U.S. Armed Forces, establish to the Board's satisfaction:
 - (1) the spouse holds a current license, certification or registration from another jurisdiction and the other jurisdiction requirements are substantially equivalent to or exceed the Board's requirements, or
 - (2) two years verifiable experience within the past five years in the U.S. Armed Forces as an unarmed guard trainer.
- (d) An Unarmed Guard Trainer Certificate shall expire two years after the date of issuance.

Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13; 93B-15.1.

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